

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

MELVIN COCHRAN,

Plaintiff,

v.

CIVIL ACTION NO. 2:17-cv-04312

WARDEN DAVID BALLARD, et al.,

Defendants.

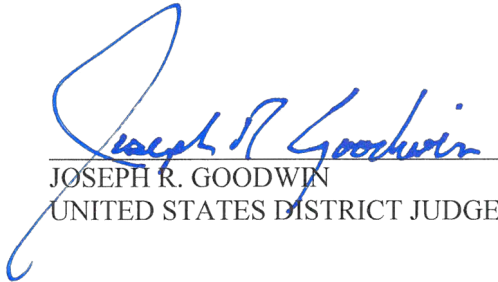
**ORDER**

This action was referred to United States Magistrate Judge Cheryl A. Eifert for submission to this court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). On November 9, 2018, Magistrate Judge Eifert submitted her Proposed Findings of Fact and Recommendation [ECF No. 31] (“PF&R”), recommending that the court deny in part and grant in part the Defendants’ Motion for Judgment on the Pleadings [ECF No. 23]. No objections to the PF&R have been filed.

Accordingly, the court **ADOPTS** and **INCORPORATES** herein the PF&R. For the reasons stated therein, the court **GRANTS in part** and **DENIES in part** the Defendants’ Motion for Judgment on the Pleadings [ECF No. 23]. The court **DENEIS** the Motion as to the Plaintiff’s claims for equitable relief and **GRANTS** the motion as to the Plaintiff’s claims for monetary damages.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record, any unrepresented party, and the Magistrate Judge.

ENTER: November 27, 2018



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE